



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Atlanta District Office

D1089B

60 8th Street, N.E.
Atlanta, Georgia 30309

January 10, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ronnie Sumner
Sumner Farms
Route 1, Box 234
Sparks, GA 31647

WARNING LETTER

Dear Mr. Sumner:

During an inspection of Garren-Teed Produce, Inc. located in Adel, GA on 10/24/96 samples of raw collard greens and raw curly-type mustard greens were collected. Our analysis of these products confirmed the presence of EBDC (Maneb) at levels above the allowable tolerance.

Further investigation which led to discussions with you determined that the produce was grown by Sumner Farms and the pesticide was applied to the produce at Sumner Farms. Jack M. Douglas, Investigator, related to you, at the time of his investigation at your farm, the levels of EBDC (Maneb) residue present in the produce. The levels were: raw collard greens 22.2/14.56 ppm, and raw curly-type mustard greens 64/49.2 ppm. The allowable tolerance level for both produce is 10 ppm.

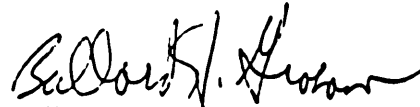
We consider EBDC (Maneb) to be an unsafe pesticide at the levels present on the raw collard greens and raw curly-type mustard greens.

Therefore, according to the Food, Drug, and Cosmetic Act (FD&C) section 402(a)(2)(B), FDA considers the raw collard greens and raw curly-type mustard greens adulterated foods because they are raw agricultural commodities and they bear or contain a pesticide chemical which is unsafe within the meaning of the Food, Drug and Cosmetic Act (FD&C) section 408(a).

You should take prompt action to correct these violations. Failure to promptly correct these violations may result in regulatory action without further notice, such as seizure and/or injunction.

Within 15 working days of receipt of this letter, notify this office in writing of the specific steps you have taken to correct the noted violations, including an explanation of each step taken to prevent the recurrence of similar violations. Your written response should be addressed to the attention of John J. McCall, Compliance Officer, at the address in the letterhead.

Sincerely Yours,

A handwritten signature in dark ink, appearing to read "Ballard H. Graham", written in a cursive style.

Ballard H. Graham, Director
Atlanta District